

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled <u>PATCHED GENES AND THEIR USE</u>, the specification of which

| | T | is attac | hed hereto. | | | | |
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| | (check └─ one) | | | | | | |
| | · | was filed on | 07 October 1994 as | | | | |
| | × | | Serial No. <u>08/319,7</u> | 45 | | | |
| | | and was | amended on | | • | | |
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| | | | d and understand the | | | bove-identified | specification, |
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| | | uty to disclose ined in 37 C.F. | to the Patent Offi R. 1.56. | ce all in | formation | known to me to | be material to |
| for pa | atent or invent itent or invent | or's certificat | its under Title 35, U e listed below and e having a filing da | have also | identified | below any fore | eign application |
| | Prior Foreign | Application(s) | | | Priority (| Claimed | |
| | | | | | | | |
| | (Number) | (Country) | (Day/Month/Year F | iled) | Yes | No | |
| | | | | | | | |
| | (Number) | (Country) | (Day/Month/Year F | iled) | Yes | No | |
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| | (Number) | (Country) | (Day/Month/Year F | iled) | Yes | No | |
| in the pri States Co to be mat | low and, insofa ior United Stat de, §112, I acl erial to paten | r as the subject es application i knowledge the du tability as defi | 35, United States Coo matter of each of the in the manner provide ity to disclose to the ned in 37 C.F.R. 1.5 or PCT internations | e claims of ed by the fi ne Patent O 66 which oc | this appli rst paragr ffice all curred bet | ication is not d aph of Title 35 information kno ween the filing | isclosed , United wn to me |
| | (Application | Serial No.) | (Filing Date) | (patente | (Status) |) g, abandoned) | |
| | (Application | Serial No.) | (Filing Date) | (patent) | (Status ed, pending |) g, abandoned) | |

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| Full name of third joint inventor, if any: | Ronald L. Johnson |
|--|--|
| Inventor's signature: | |
| Date: | |
| Residence: | 1528 Hudson Street, Apt. 7, Redwood City, CA 94061 |
| Citizenship: | USA |
| Post Office Address: | 1528 Hudson Street, Apt. 7 |
| | Reduced City Ca 94061 |



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| | х | | <u>07 October 1994</u> as Serial No. <u>08/319,74</u> | 5 | | | |
| | | | amended on | <u>.,</u> | • | | |
| | | | | oplicable) | | | • |
| Y hono | | l hava raviaua | d and understand the | contents | of the ab | ove-identifi | ed specification. |
| | | | any amendment refer | | | | |
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| | | fined in 37 C.F. | to the Patent Offic R. 1.56. | se att m | TOTAL TOTAL | NOMIT TO THE V | o be indeer for to |
| I herel | by claim foreig | gn priority benef | its under Title 35, Un | ited State | es Code, §11 | 9 of any forei | gn application(s) |
| for pa | tent or inven | tor's certificat | e listed below and h | ave also | identified | below any fo | reign application |
| | | tor's certificate | e having a filing dat | e before 1 | that of the | application | on which priority |
| is cla | imed: | | | | | | |
| • | Prior Foreig | n Application(s) | | | Priority C | laimed | |
| | | | | | | | |
| | (Number) | (Country) | (Day/Month/Year Fi | iled) | Yes | No | |
| | | | | | | | |
| | (Number) | (Country) | (Day/Month/Year Fi | iled) | Yes | No | |
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| | (Number) | (Country) | (Day/Month/Year Fi | iled) | Yes | No | |
| I hanabu a | laim tha bana | fit under Title 3 | 35, United States Cod | e 8120 of | anv United | States appli | cation(s) |
| listed bel | cami the bene low and. insofa | ar as the subject | matter of each of the | claims of | this applie | cation is not | disclosed |
| in the pri | or United Stat | tes application i | n the manner provided | by the fi | rst paragra | aph of Title : | 55, United |
| States Co | de, §112, I ac | knowledge the du | ity to disclose to the | e Patent O | ffice all i | nformation k | nown to me |
| to be mate | erial to paten | tability as defi | ned in 37 C.F.R. 1.56 | 5 which oc | curred betw | een the fili | ng date of |
| the prior | application a | and the national | or PCT international | l filing d | late of this | s application | ı : |
| | | | | | | | |
| | (Application | Serial No.) | (Filing Date) | | (Status) | | |
| | | | | (patente | ed, pending | , abandoned) | |
| | | | | | | | |
| | (Application | Serial No.) | (Filing Date) | | (Status) | | |
| | Appendention | , Jul 141 HOL) | T. Iting Paser | (patent | • | , abandoned) | |
| | | | | | | | |



I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Thomas O. Herbert, Reg. No. 18,612; Donald N. MacIntosh, Reg. No. 20,316; Jerry G. Wright, Reg. No. 20,165; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Richard E. Backus, Reg. No. 22,701; James A. Sheridan, Reg. No. 25,435; Robert B. Chickering, Reg. No. 24,286; Gary S. Williams, Reg. No. 31,066; Richard F. Trecartin, Reg. No. 31,801; C. Michael Zimmerman, Reg. No. 20,451; Walter H. Dreger, Reg. No. 24,190; Steven F. Caserza, Reg. No. 29,780; Bertram I. Rowland, Reg. No. 20,015; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr, Hohbach, Test, Albritton & Herbert as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Direct all telephone calls to <u>Bertram I. Rowland, Ph.D.</u> at (415) 781-1989.

Address all correspondence to:

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT
Suite 3400, Four Embarcadero Center
San Francisco, California 94111

File No. A-60190/BIR STAN-171

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full name of sole or first inventor: | Matthew P. Scott |
|---|-------------------------------------|
| Inventor's signature: | |
| Date: | |
| Residence: | 914 Wing Place, Stanford, CA 94305 |
| Citizenship: | USA |
| Post Office Address: | 914 Wing Place |
| | Stanford, CA 94305 |
| Full name of second joint inventor, if any: | Lisa V. Goodrich |
| Inventor's signature: | |
| Date: | |
| Residence: | 66 Newell Road, Palo Alto, CA 94303 |
| Citizenship: | · USA |
| Post Office Address: | 66 Newell Road |
| | Palo Alto, CA 94303 |





| Serial of Patent No.: 08/319,745 A-60190/BIR STAN-171 |
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| NAC 1 |
| Filed or Tesged: 07 October 1994 |
| FOR PATCHED GENES AND THEIR USE |
| verified statement (declaration) claiming small entity |
| STATUS (37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION |
| I hereby declare that I am an official empowered to act on behalf of the nonprofit organizati |
| identified below: |
| identified below: |
| NAME OF ORGANIZATION THE BOARD OF TRUSTEES OF THE LELAND STANFORD JR. UNIVERSITY |
| ADDRESS OF ORGANIZATION STANFORD UNIVERSITY, STANFORD, CA 94305-6225 |
| ADVICED OF CHAIRMAN DISTRICT CONTRACTOR OF THE C |
| TYPE OF ORGANIZATION |
| [X] UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION |
| TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) |
| [] NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERI |
| (NAME OF STATE) (CITATION OF STATUTE) |
| [] WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNIT |
| STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA |
| (NAME OF STATE) (CITATION OF STATUTE) |
| |
| I hereby declare that the nonprofit organization identified above qualifies as a nonprof |
| organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(|
| or (b) of Title 35, United States Code, with regard to the invention entitled PATCHED GEN |
| AND THEIR USE by inventor(s) Matthew P. Scott; Lisa V. Goodrich a |
| Ronald L. Johnson as described in |
| |
| [] the specification filed herewith |
| [x] application serial no. 08/319,745 , filed 7 October 1994 |
| [] patent no, issued |
| I hereby declare that rights under contract or law have been conveyed to and remain with t |
| I nerepy declare that rights under contract or law have been conveyed to and lemain with t |
| non-refit everyightion having rights to the invention as listed below and no rights to t |
| nonprofit organization having rights to the invention as listed below* and no rights to t |
| invention are held by any person, other than the inventor, who could not qualify as a sma |
| invention are held by any person, other than the inventor, who could not qualify as a sma business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small busine |
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DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

amed inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled PATCHED GENES AND THEIR USE, the specification of which is attached hereto. (check one) was filed on <u>07 October 1994</u> as |x| Application Serial No. 08/319,745 and was amended on (if applicable) I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: **Priority Claimed** Prior Foreign Application(s) (Day/Month/Year Filed) (Number) (Country) (Day/Month/Year Filed) (Number) (Country) (Day/Month/Year Filed) . Yes No (Country) (Number) I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application: (Filing Date) (Status) (Application Serial No.) (patented, pending, abandoned)

(Status)
(patented, pending, abandoned)

(Filing Date)

(Application Serial No.)





I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Thomas O. Herbert, Reg. No. 18,612; Donald N. MacIntosh, Reg. No. 20,316; Jerry G. Wright, Reg. No. 20,165; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Richard E. Backus, Reg. No. 22,701; James A. Sheridan, Reg. No. 25,435; Robert B. Chickering, Reg. No. 24,286; Gary S. Williams, Reg. No. 31,066; Richard F. Trecartin, Reg. No. 31,801; C. Michael Zimmerman, Reg. No. 20,451; Walter H. Dreger, Reg. No. 24,190; Steven F. Caserza, Reg. No. 29,780; Bertram I. Rowland, Reg. No. 20,015; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr, Hohbach, Test, Albritton & Herbert as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

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File No. A-60190/BIR STAN-171

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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